

1 10A NCAC 13J .1110 is readopted with changes as published in 31:24 NCR 2442-2448 as follows:

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3 **10A NCAC 13J .1110 SUPERVISION AND COMPETENCY OF ~~INHOME~~ IN-HOME AIDES OR**
4 **OTHER IN-HOME CARE PROVIDERS CAREGIVERS**

5 (a) ~~In home aides or other allied health personnel~~ In-home [care providers] caregivers subject to occupational
6 licensing laws shall meet requirements consistent with the rules established by the occupational licensing board ~~to~~
7 ~~which that~~ they are subject. Each agency shall document that its ~~in-home aides and other~~ in-home ~~care providers~~
8 caregivers are competent to perform client care tasks or activities ~~to which that~~ they are assigned. Meeting competency
9 includes a demonstration of tasks to the health care practitioner. Such individuals In-home [care providers] caregivers
10 shall perform delegated activities under the supervision of persons authorized by state law to provide such supervision.

11 (b) Those ~~in-home aides and other~~ in-home ~~care providers~~ caregivers who are not subject to occupational licensing
12 ~~laws, laws~~ shall only be assigned client care activities ~~for which that~~ they have demonstrated competency, and the
13 documentation of ~~which competency~~ is maintained by the agency. Meeting competency includes a ~~correct~~
14 demonstration of tasks to ~~an appropriate professional. the health care practitioner.~~ Each agency shall document that
15 its ~~in-home aides and other~~ in-home ~~care providers~~ caregivers demonstrate competence for all assigned client care
16 tasks or activities. ~~Such individuals~~ In-home [care providers] caregivers shall be supervised by the ~~appropriate~~
17 ~~professional health care practitioner~~ health care practitioner who may further delegate specific supervisory activities to a ~~paraprofessional in-~~
18 ~~home [care providers] caregivers~~ as designated by agency policy, provided that the following criteria are met:

- 19 (1) there is ~~continuous~~ availability of the ~~appropriate professional~~ health care practitioner for
20 supervision and consultation; and
21 (2) accountability for supervisory activities delegated is maintained by the ~~appropriate professional.~~
22 health care practitioner.

23 (c) ~~Staff who are not licensed by the North Carolina Respiratory Care Board shall only be assigned duties for which~~
24 ~~they have demonstrated competency and shall not engage in providing Respiratory Care as that term is defined in the~~
25 ~~Respiratory Care Practice Act, G.S. 90-648(11). Agencies that are providing clinical respiratory care services must~~
26 ~~provide supervision by a licensed respiratory care practitioner or a registered nurse with sufficient education and~~
27 ~~clinical experience in the scope of the services offered.~~

28 (d) (c) In-home caregivers subject to Paragraph (a) of this Rule shall be subject to the method and frequency of
29 supervision defined in the agency's policy. The ~~appropriate supervisor~~ health care practitioner shall supervise an in-
30 home ~~care provider~~ as specified in Paragraph (a) or (b) of this Rule caregiver subject to Paragraph (b) of this Rule by
31 making a supervisory visit to each client's place of residence ~~at least every three months, [quarterly]~~ every ninety days
32 with or without the in-home ~~care provider's~~ caregiver's presence, and ~~at least annually,~~ while the in-home ~~care provider~~
33 caregiver is providing care to each client. The supervisory visit shall include review of the client's general condition,
34 [and progress] progress, and response to the services provided by the ~~[specified type of] in-home [care provider.]~~
35 caregiver.

36 (e) A quarterly supervisory visit to the home of each client, by the appropriate professional supervisor for each type
37 of in-home care provider as specified in Paragraphs (a) and (b) of this Rule, shall meet the minimum requirement for

1 ~~supervision of any and all of the specified type of in-home care providers who have provided service to the client~~
 2 ~~within the quarter. The supervisory visit shall include review of the client's general condition, progress and response~~
 3 ~~to the services provided by the specified type of in-home care provider.~~

4 ~~(f) (d)~~ Documentation of supervisory visits shall be maintained in the agency's records and shall ~~contain:~~ contain date
 5 of visit, findings of visit, and signature of person performing the visit.

6 (1) ~~_____~~ date of visit;

7 (2) ~~_____~~ findings of visit; and

8 (3) ~~_____~~ signature of person performing the visit.

9 ~~In order to assure effective supervision of services provided by in-home aides, geographic service areas for these~~
 10 ~~services shall be limited to the area which includes the county where the agency is located, counties that are contiguous~~
 11 ~~with the county where the agency is located or within 90 minutes driving time from the site where the agency is~~
 12 ~~located, whichever is greater. Agencies providing services to any client prior to January 1, 2006 who resides in a~~
 13 ~~geographic service areas which prior to January 1, 2006 which are is beyond the counties that are contiguous with the~~
 14 ~~county where the agency is located or greater than 90 minutes driving time from the site where the agency is located,~~
 15 ~~may continue to provide services to the client these areas until the client is discharged from the agency.~~

16 ~~(g) (e)~~ When follow-up corrective action is needed for any ~~or all of a specified type of in-home~~ care provider caregiver
 17 ~~based on findings of the supervisory visit, documentation of such corrective action by the appropriate supervisor~~ health
 18 care practitioner shall be maintained in the employee(s) ~~or other agency~~ record.

19 ~~(h) (f)~~ ~~An appropriate professional~~ A health care practitioner conducting a supervisory visit for any ~~and all of a~~
 20 ~~specified type of~~ in-home care provider caregiver may simultaneously conduct the ~~quarterly~~ case review every ninety
 21 days as required in Rule .1202 of this Subchapter.

22 ~~(i) (g)~~ The ~~appropriate professional~~ health care practitioner shall be ~~continuously~~ available for ~~supervision,~~
 23 ~~supervision on-site where services are provided when necessary,~~ during the hours that in-home care services are
 24 provided.

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 26 *History Note: Authority G.S. 131E-140;*

27 *Eff. July 1, 1992;*

28 *Amended Eff. July 1, 1993;*

29 *RRC Objection due to lack of statutory authority and ambiguity Eff. November 16, 1995;*

30 *Amended Eff. February 1, 1996;*

31 *Temporary Amendment Eff. April 1, 2006;*

32 *Amended Eff. November 1, 2006-2006;*

33 *Readopted Eff. January 1, 2018.*